

# Interview Summary

Application No.

09/981,790

Applicant(s)

MORTIER ET AL.

Examiner

Dave Willse

Art Unit

3738

All participants (applicant, applicant's representative, PTO personnel):

*Bob Atkinson*

(1) *Todd J. Mortier* *on 2-12-04*

(3) *Susanne T. Jones*

(2) *Cyril J. Schweich, Jr.* *on 2-12-04*

(4) *Dave Willse*

Date of Interview: *12 February 2004*

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: *58 and 65*

Identification of prior art discussed: *US 5,360,444; US 5,957,977; US 2003/0105519 A1; WO 95/16407.*

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *\*(below)*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

*\* The Applicant presented a claim (attached) which appears to distinguish over the ~~exte~~ applied prior art.*

*- attachment*

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

**Proposed New Independent Claim**

A. A method of treating an in situ mitral valve, the method comprising:  
positioning a passive device with respect to a heart such that, at least during systole, a portion of the device contacts and passively alters a geometry of heart structure other than leaflets, chordae, papillary muscles, and an annulus associated with the in situ mitral valve so as to draw together leaflets of the in situ valve to promote closure of the in situ valve.

*Dr  
2-12-04*

*attachment to paper No. 21*